

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA
Western Division

U.S.A. vs. Brian P. Teal

Docket No. 5:10-CR-370-1FL

Petition for Action on Probation

COMES NOW Debbie W. Starling, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Brian P. Teal, who, upon an earlier plea of guilty to 18 U.S.C. §§ 1363 and 2, Destruction of Buildings and Property and Aiding and Abetting, was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge, on March 18, 2011, to a 60-month term of probation under the conditions adopted by the court. On September 14, 2011, the defendant's restitution was held in abeyance by the Court until he secured gainful employment. On January 6, 2014, his conditions of probation were modified to include placement at a Residential Re-Entry Center for a period not to exceed 180 days.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On September 25, 2014, the defendant relocated to the Middle District of Florida to reside with his parents, and has been supervised by the U.S. Probation Office in Jacksonville, Florida, since that time. He continues to remain unemployed but submits weekly documentation of his job search efforts. Due to his continued unemployment, he has been unable to make payments toward his restitution obligation. The defendant is currently enrolled in an online high school diploma program and anticipates graduation within the year. Teal continues to participate in mental health treatment but has unexcused absences for January 14, February 2, March 2, April 20, May 4, and June 17, 2015. While he is attending some sessions, the absences are preventing him from progressing toward his goals. As a punitive sanction for his failure to secure gainful employment and attend mental health counseling as scheduled, it is respectfully recommended that his conditions of probation be modified to include 25 hours of community service work as directed by the probation officer. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision. Since the filing of the last status report with the court, there have been no other changes in his status and he has incurred no new criminal charges.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The defendant shall perform 25 hours of community service and follow the probation officer's instructions regarding the implementation of the court directive.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

/s/ Robert L. Thornton

Robert L. Thornton

Supervising U.S. Probation Officer

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Debbie W. Starling

Debbie W. Starling

U.S. Probation Officer

310 Dick Street

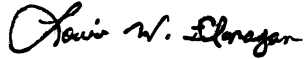
Fayetteville, NC 28301-5730

Phone: 910-483-8613

Executed On: September 14, 2015

ORDER OF THE COURT

Considered and ordered this 15th day of September, 2015 and ordered filed and made a part of the records in the above case.

A handwritten signature in black ink, appearing to read "Louise W. Flanagan", followed by a horizontal line.

Louise W. Flanagan
U.S. District Judge

FOR JUDGE'S VIEW ONLY

DO NOT FILE



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